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The Forbidden Fruit of Federalism: Evidence from Romania and Slovakia

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The Forbidden Fruit of Federalism. Evidence from Romania and Slovakia

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Territorial autonomy is one aspect of power-sharing in multi-ethnic societies. Nevertheless, the multi-ethnic countries of Central and Eastern Europe are still among the most centralised in the European Union (EU). This article analyses the failure of any attempts to establish (symmetric) federalism or (asymmetric) autonomy, creating self-governed regions by the Hungarian minorities in Romania and Slovakia. The analysis focuses on positions of the main parties of the ethnic majorities and the Hungarian minority parties in the two countries. In both cases, the parties representing the Hungarian minorities have favoured territorial autonomy along ethnic lines, but this demand has been rejected by the parties of the ethnic majority. Against the historical legacy of unstable borders, the latter argue that territorial autonomy or federalisation might be a first step for a revisionist agenda and separatism. Instead, supported by the European integration, the parties have been able to agree on decentralisation as a half-hearted compromise.

Introduction¹

The start of multi-party democracy in post-communist Europe also ended the era of the federalist systems in the region – Soviet Union, Czechoslovakia and the Socialist Federal Republic of Yugoslavia. All formerly federal states dissolved and additionally, post-communist states inherited the highly centralised state structure from the former regimes. The process of European integration has not been able to change this picture: it has induced gradual decentralisation, but far-reaching territorial reforms, any kind of federalism or territorial autonomies remain taboo (Keating 2003; Yoder 2003; Kirchner 1999b; Swianiewicz 2010).² This paper aims to explain the lack of federal states in post-communist Europe.

Prompted by a number of territorial reforms in Western Europe, the comparative politics literature has increasingly become interested in regionalism and federalism (Keating

¹ Acknowledgements omitted. XXX

² See also Brusis in this issue.

1998; Hooghe et al. 2010; Hough and Jeffery 2006; Swenden 2006). Political parties feature at the forefront of these studies, as they are the main actors who are pushing for territorial reforms. The literature on territorial reforms in Central and Eastern Europe mainly focuses on the EU as the principal driving force, with a limited but significant impact in encouraging territorial re-organisation. The EU has supported administrative decentralisation to ensure effective governance and the establishment of institutions for the implementation of EU regional policies (Hughes et al. 2004; Brusis 2005; Dobre 2009, 2010; Kirchner 1999a). The role of domestic partisan actors in these reforms has only been analysed by a few studies (Ertugal and Dobre 2011; O'Dwyer 2006). Therefore, the purpose of this article is to bring in the perspective of political parties and analyse their positions on territorial reforms.

In the theoretical part of this study, we argue that the historical legacies of the pre-communist and communist regimes together with Europeanisation explain the party positions on territorial reforms in Central and Eastern Europe³ and the actual outcome of territorial reforms. After the communist period has led to a considerable centralisation of the counties, European integration has thereafter prescribed the decentralisation and the regionalisation of the candidate states. The parties of ethnic minorities that live concentrated in a minority-majority area usually advocate territorial reforms that would give them some autonomy. In contrast, the mainstream parties – attracting mainly the voters of the majority – have reacted with massive resistance, and hindered the process of regionalisation.⁴ This encompasses both nationalist parties of the majority, but also moderate or civic parties, which are not defined based on ethnic exclusivity.

As none of the ethnically divided countries in the region has a significant territorial political conflict that would divide the mainstream parties, the regionalisation issue is mainly

³ We use this as a synonym for post-communist countries in Europe.

⁴ We understand territorial reforms as the re-organisation of public administrations based on new territorial divisions that potentially include the transfer of competencies to sub-national levels, which were previously inexistent or irrelevant.

linked to the ethnic question. Drawing on the pre-communist legacies of multi-ethnic empires and unstable borders, nationalist parties of the ethnic majority warn that regionalist demands are a revisionist plan for border change and separatism. As nationalist parties capitalise on the issue of national integrity, civic (non-nationalist) parties supported by the majority cannot make substantial concessions to ethnic minorities in this field, without risking losing their voters to the nationalist opponents. Given the **scepticism** of the mainstream parties, the most likely outcome of any reform is a decentralisation process on a symmetric and non-ethnic basis.

Empirically, this study analyses the territorial reforms in two new, multinational EU member states from Central and Eastern Europe: Slovakia and Romania in the post-communist period (Romania: since 1990, Slovakia: 1994) until 2011. Both countries have significant and partly territorially concentrated Hungarian minorities that are represented by their own ethnic parties, while electoral competition across ethnic lines is almost absent. The two cases stand exemplary for a debate which might plausibly have affected or affect other countries of the region, such as Serbia, Macedonia, or Moldova, in a similar fashion, on their way to EU membership. In our analysis, we focus on the positions of the most important political parties on issues of regionalisation or territorial autonomy, and how they evolved, as a consequence of agreements over governmental coalitions. Our qualitative analysis is based on newspaper articles, secondary academic sources, interviews with actors and experts, the analysis of party manifestos, and the results of an expert survey.

The next, theoretical section links the sensitivity of ethno-territorial solutions to the historical legacy of these countries. It argues that symmetric and non-ethnic decentralisation is the only viable compromise which the domestic actors can agree on, given the pressure from the EU. This is followed by an empirical section, which describes the party positions with regard to regionalisation, and discusses the reforms that were implemented.

Historical legacies: Contested Borders and Territories

Central and Eastern Europe has a rich and plural ethnic heritage. As a result of the transformation of multi-ethnic empires – Austria-Hungary, Russia, and the Ottoman Empire – in the aftermath of the First World War and the transformation of the state borders, the new states that emerged in the early 20th century were usually ethnically diverse (Caramani 2003). After borders were moved or established, the areas of the periphery were particularly ethnically heterogeneous, or settled by dominant ethnic minorities. The large national minorities that live concentrated in territories present an ideal premise for power-sharing solutions, with multi-level government and strong constitutional regions, based on symmetric federalism, or an (asymmetric) ethno-territorial autonomy solution.⁵ Political representatives of ethnic minorities saw the democratic transformation of their countries as an opportunity to realise group-specific rights but also self-rule for their home territories.

However, territorial government can also be seen through a nationalist lens, with reference to historical battles. While state borders were accepted on paper, in countries that lost territories in the past like Hungary, Austria, Bulgaria or Turkey, sentiments of 'irredentism' (the desire to get 'lost territories' back) prevailed in people's minds, creating the potential for a revisionist agenda. In newly created countries, state boundaries appeared to be fragile as in Czechoslovakia, and induced the sentiment that these new parts of the country needed to be nationalised (see also Brubaker et al. 2006). Therefore, partisan actors can construct the picture that national unity is endangered, thus making territorial autonomy a sensitive political issue. This strategy capitalises on the presence of minorities, if they can be portrayed as potentially disloyal to the host state and willing to join an ethnic kin state. The argument goes that territorial autonomy for minorities might endanger state unity, especially in border areas disputed (more or less explicitly) between states.

⁵ The term *ethno-territorial autonomy* is used for (symmetric or asymmetric) autonomous regions, whose boundaries are drawn along ethnic lines.

This apprehension was bolstered by the federal experience of other countries in the region. After the communist period, the political-administrative systems of the region were highly centralised and episodes of regional autonomy proved short-lived: the only three countries with a federal structure were the Soviet Union, Czechoslovakia and the Socialist Federal Republic of Yugoslavia, all of which broke up. After their dissolution, they served as an example that federalism or regional autonomies might be the first step towards separatism and the break-up of states. The post-communist transition has shown how quickly all these federal countries have fallen apart along previous or constructed ethnic lines, followed by secessionist wars in the case of the former Soviet Union (Zürcher et al. 2005).

The historical changes of 1989-90 also created new states, which needed to define their national identity and assert their territory. Ethnic heterogeneity, or the unresolved status of ethnic minorities, were important challenges to realising these objectives, and the relationship between kin states and their external minorities did not help to resolve these problems (Csörgő and Deegan-Krause 2011). Ethnic and nationalist issues have become politically salient all across countries in the region (Evans and Whitefield 2000), and incorporated into their party systems (Birnie 2007; Bochsler 2010). Nationalist issues are easily instrumentalised by parties with a majority-nationalist agenda. This explains the behaviour of the actors of the ethnic majority towards minority rights. While any strengthening of minority rights will be attacked by nationalists, territorial reforms are particularly sensitive, as they are seen through historical lenses of contested borders and territory. The (potential) agitation of the nationalists on this salient issue also pressures the more moderate mainstream parties not to make substantial concessions with regards to territorial autonomy (see also Meguid 2005).

Decentralisation as EU conditionality

In spite of these strong historical legacies, and the fragile and deeply political nature of national identity and territory in Central and Eastern Europe, the governments of this region have been sensitive to the driving influence of the European Union in putting territorial-administrative reforms onto the political agenda. The Commission has placed the creation and empowerment of the regional level of administration (Keating 2003: 58; Hughes et al. 2003: 73), necessary for receiving, managing and implementing the Structural and Cohesion Fund programmes, at the heart of the accession criteria established during accession negotiations. These funding programs require administrative capacities at the regional level, in correspondence with the EU's units of the territorial statistics (NUTS)⁶ (Marek and Baun 2002: 897-9). The Commission, however, did not specify the institutional form of the regional layer of public administration. In particular, it did not demand that the regional institutions established for the implementation of the structural funds need directly to correspond to the already existing regional public administrations. Also, the Commission disagreed internally as to whether regionalisation should have a political dimension and whether regional governments should be directly elected (Brusis 2002; Hughes et al. 2004: 80-4). Moreover, the Commission's approach shifted over the time. After a first period, where it stressed the political dimension of regionalisation, it moved toward a technocratic approach, which included only the formal adoption of the *acquis communautaire* and focused on the administrative capacity for the absorption of the funds. Thereafter, the Commission started to support central control, since it was seen as more effective, efficient and less prone to corruption {Hughes, 2004 #5830@85-117}.

The protection of minorities was part of the political accession criteria as well and, therefore, the EU has been understood as an actor lobbying on behalf of national minorities in

⁶ Nomenclature of Units for Territorial Statistics

Central and Eastern Europe (Jenne 2004). We argue, however, that the influences of the European Union have to be differentiated. The EU did not support territorial autonomy as a mean for minority protection. Therefore, it did not strengthen the bargaining power of the minority parties toward the majority parties in their quest for territorial autonomy.⁷ According to its strategy of consensual conflict settlement, the EU supported the inclusion of ethnic minority parties in the governments in Romania and Slovakia. Yet, since it did not have a preferred institutional solution, it did not intervene in internal disputes about the formulation of minority rights or regionalisation projects (Brusis 2003: 12-3; Sasse 2005: 17). Once pro-European integration parties got in office – in 1996 in Romania and in 1998 in Slovakia - the EU was able to exert pressures for initiating the process of decentralisation. But, the right territorial solution, the competences of regional governments, and their institutional form remained the responsibility of the domestic actors.⁸

Drawing on the influence of historical legacies and European integration on political parties' positions towards territorial reforms, we summarise our argument: While territorial autonomy is a political goal of the ethnic minority parties, it is not negotiable for the parties of the majority. Due to the fragile and contested nature of their statehood and nationhood, nationalist parties of the ethnic majority identify territorial autonomy as a first step to separatism or irredentism. Non-nationalist parties cannot make substantial concessions on this issue, without risking losing voters to the nationalist majority parties. But, under pressure from the European Union to reform the territorial organisation of their state, mainstream parties will undertake the process of regionalisation. However, given the ideological

⁷ The EU and the NATO pressured accession candidates with internal and external minorities to sign basic treaties which obliged them to recognise each other's territorial integrity and political independence and to protect their minorities. Romania and Hungary signed basic treaties that included the 1201 recommendation of the Council of Europe, which entails collective rights for ethnic minorities as a minority protection measure. However, in a footnote of the treaty the possibility of establishing territorial autonomy was explicitly excluded (Roper 2000: 121; Eplényi 2006: 64-5; Csergő 2002: 17).

⁸ NATO adopted a similar approach for its enlargement process (Ram 2003: 35).

constraints of mainstream parties, the only political feasible outcome is an symmetrical form of regional government, that is weakly decentralised and whose boundaries do not correspond with the presence of ethnic groups.

Slovakia and Romania

The cases of Romania and Slovakia are interesting to investigate, given the similar conditions they share (e.g. Csörgő 2007). First, the ethnic minority groups are territorially concentrated in both countries. In Slovakia, the Hungarians live in the South, and are a majority along the border with Hungary. The Hungarian minority of Romania lives in Transylvania in the North-West of the country, and represents the majority in two counties in the Carpathian basin, in the heart of Romania. Moreover, the sizeable Hungarian minority groups and the kin-state activism of Hungary, have often been perceived as the common external threat to the territorial integrity of both states.⁹ Slovakia is a new nation state, seeking to build a new identity after the break-up of Czechoslovakia in 1994, while Romania has existed previously within the same borders. However, in both countries the ethnic Hungarian minority has been spurred on by a new wave of (irrendentist) nationalist politics in Hungary and ethnic Hungarian parties have had to contend with the adversarial nationalist postures of certain domestic mainstream parties.

Second, in the two countries, ethnic cleavages are clearly institutionalised in the party system, and cross-ethnic voting exists only to a minimal degree. The number of ethnic Hungarian voters voting for non-Hungarian parties is negligible, and until the emerging of Most-Híd, a cross-ethnic, but Hungarian-dominated party in Slovakia (Szöcsik and Bochsler 2012), none of the Hungarian parties received any support beyond their ethnic group. The ethnic divide also defines the territorial splits in the party systems. Hungarian minority parties

⁹ Especially, nationalist-conservative governments in Budapest have defined the support for ethnic Hungarians in neighbouring countries as one of the priorities on their foreign policy agenda (Horváth 2004: 33-4), and tried to ally with Hungarian minority parties in Romania and Slovakia (Bochsler and Szöcsik 2012).

are present solely in the areas with Hungarian settlement and are therefore effectively regional parties. Parties supported by the ethnic majority receive support throughout the country, apart from the Hungarian-settled areas. Further, the urban-rural division, between the post-Communists (rural) and the liberal parties (urban) of Romania in the 1990s has mainly vanished. Lastly, ethnic minority and mainstream parties compete on a *programmatic* basis, as the positions that they adopt are responsive not only to the voters' demands (Roberts 2009), but also to other parties' strategic moves (Tavits 2008). While for mainstream parties, other dimensions – such as economic or liberal-authoritarian questions – are important, ethnic minority parties tend to be defined to a lower degree on these questions. Both for the majorities and the minorities, positioning along ethno-nationalist issue-dimension, which are salient in both countries (Evans and Need 2002), matters for party electoral and governing strategies.

We show how party positions on these issues developed, and argue that the nationalist parties' campaigns on these issues have prevented the more moderate mainstream parties from making too pronounced policy moves. In the following sections, we identify the main reforms that took place in our two cases, and look at the positions of ethnic minority parties and the reaction of the parties of the majority.

Romania

Territorial reforms

Romania has a strong centralist tradition. While the new Constitution of 1991 defines Romania as a unitary and indivisible nation state, significant steps towards decentralisation were taken following the change of regime. Based on the Constitution, two layers with legal authority and various administrative structures of local government were institutionalised at the level of counties (*județe*) and local administrations. The local administrative units have directly elected authorities, while the county authorities co-exist with de-concentrated units of central government. Until 1996, there was no system of regional government, and only some

tentative first steps towards decentralisation were taken (Ertugal and Dobre 2011: 1200-2).

In 1996, competences were shifted to the 41 counties which represent the intermediary level tier of government. In 1998, eight development regions were created, by associating four to six counties, but not changing the order of the sub-national administration substantially (Ertugal and Dobre 2011: 1213; Dobre 2010: 62). The regions were established to correspond to the NUTS II¹⁰ level divisions and were brought together for statistical purposes and for the management and implementation of pre-accession and structural funds (Hughes et al. 2004: 57-8). They remain largely fictive, ahistorical regions with no political or fiscal powers, Regional Development Councils, that elaborate the development strategy of the region are composed of local elected representatives. In 2006, a new reform was introduced with the aim of reinforcing administrative and financial decentralisation at the local level (Ertugal and Dobre 2011: 1208).

Ethnic minority parties

The organisation of the Hungarians in Romania, UDMR, was originally founded in 1989 as an umbrella organisation. It evolved into the main party of the Hungarian minority,¹¹ in opposition until 1996, and was thereafter included in governmental coalitions.

The UDMR's first serious attempt to realise a comprehensive system of autonomy rights was the elaboration of a draft bill on national minorities and autonomous communities which it submitted to parliament in 1993, but thereafter rejected. Nonetheless, in 1995 an internal committee of the UDMR elaborated a draft statute on Szeklerland's autonomy (for the region with a dominant Hungarian minority), but this was not submitted to parliament and remained a solitary initiative for many years (Bakk 2004a: 43-50). This goal was however marginalised within the UDMR, after the party joined the government in 1996 – an oversized coalition which did not need the support of the UDMR (Horváth 2004: 46). Territorial

¹⁰ NUTS II refers to the territorial subdivisions within EU member states.

¹¹ Without being legally registered as a party.

autonomy remained a central claim of the UDMR's programme, but the demand had to be relinquished in exchange for the party's inclusion into executive power – the controversial issue was not negotiable for coalition partners (see below).

After 2000, UDMR stayed in coalition with the Social Democratic Party (PSD), and neglected the issue of autonomy, which fuelled internal conflicts (Bochsler and Szöcsik 2012). From 2000 onwards, alternative Hungarian political organisations were formed by dissident members of the UDMR. Two political pressure organisations emerged, the Hungarian National Council of Transylvania (CNMT) and the Szekler National Council (CNT) between 2003 and 2004. Since 2008, the UDMR is challenged by the Hungarian Civic Party (PCM) and since 2011 by the CNMT that transformed to a party, the Hungarian People's Party of Transylvania in the electoral arena. The common criticism of these organisations was that the UDMR was selling out the interests of the Hungarians in government. Their main goal therefore was to put the issue of autonomy on the political agenda and ultimately to establish a system of cultural and territorial autonomy (Eplényi 2006: 65-7). However, both new Hungarian minority parties were only able to mobilise a minor part of the Hungarian electorate in the Szekler Land in the local elections in 2008 and 2012, each of them gaining less than 1% of the national votes. UDMR remains the only party of the Hungarian minority in national parliament.

Growing political competition within the Hungarian minority has revived the debate on autonomy and regionalisation. In February 2004, an autonomy statute of the Szeklerland was submitted to the parliament, via a group of MPs belonging to the UDMR, but with informal ties to the new dissident Hungarian organisations. This proposal was rejected by the mainstream parties. The UDMR reacted with its own idea of transforming existent development regions into political-administrative regions, hoping to create the Szeklerland Development Region by uniting three counties (Harghita, Covasna and Mureş). This was intended as the first step to the establishment of an autonomous Szeklerland (Bakk 2004a: 50-

4; Eplényi 2006; Bakk and Szász 2010: 24-8). The new Hungarian organisations are supporting the UDMR to demand asymmetrical regionalism in which Szeklerland as a development region would enjoy special status (Hungarian Council of Transylvania 2010; Bakk 2004b).¹² The underlying idea is that Szeklerland's territorial autonomy should be embedded in a larger regionalisation process of Romania, which is more likely to be supported by mainstream parties (Bakk and Szász 2010: 27-8). The UDMR reacted in 2011 with the demand for a reorganisation of the development regions, but without creating new regional units. It could however not agree on a solution with its coalition partner, the PD-L.¹³

Mainstream parties

The mainstream party landscape in Romania is divided between the economic left-wing Social Democratic Party (PSD), the economic right-wing National Liberals (PNL), the centrist Democratic Party (PD-L), and the two ultra-national Greater Romania Party (PRM) and Romanian Unity Party (PUNR). While the predecessor of the Socialists has been in an informal governing coalition with the ultra-nationalists in the mid-1990s, the left-wing and the right-wing parties have altered in government since 1996, mostly under inclusion of the Hungarian minority.

The mainstream parties have steadily and unanimously rejected the demand for ethno-territorial autonomy over time. The nationalist parties PRM and PUNR have a more pronounced adversarial positions than the remaining parties. Since the mid-1990s, different governmental coalitions have adopted an agenda of decentralisation and especially, the Social Democrats have moved from a rather nationalist agenda towards a more accommodative stance. Given the high volatility, and constant process of fissures and fusions within the large mainstream parties, the analysis can only offer a glimpse of the positions of the largest governing parties. We include the positions of the main nationalist parties, however, as they

¹² Szeklerland comprises the counties Harghita, Covasna and the half of the county Mureş

¹³ Új Magyar Szó, 24 October 2011, "Reformra van szükség, nem káoszra [Reforms are wanted, not chaos]."

were represented in parliament over most of the time, and as their adversarial position on ethno-territorial issues has strongly affected the debate.

The most clear-cut allegiances to nationalist and centralist ideas can be found in the PUNR and PRM rhetoric and their manifesto.¹⁴ The PUNR declared itself as "a nationalist party because it defends the Romanian state of law, national, unitary and indivisible according to all its citizens' interests from its entire actual and historical territory." This is reflected in the view of the Hungarian minority as "occupant forces", which were breaking the traditional democratic Romanian structures (PUNR – 1992). It "opposes any pretence of creating territorial-administrative enclaves based on arbitrary criteria, the decision of administrative-territorial organisation shall be exclusively attributed to the legislative branch" (PUNR – 1990). The tones of the rivalling nationalist PRM (1992 manifesto) were much the same: "Their [the Hungarians'] goal is the dissolution of Romania, step by step. The PRM proposes the protection by all means possible of the integrity and sovereignty of the Romanian state, of the national and unitary character of the Romanian state." Some of these points were taken up by its main coalition partner, the FDSN (which later transformed in the main Social Democratic Party, PSD), which expressed its "firm rejection of extremist, chauvinist and separatist views" and its resistance "against revisionist, absurd federalisation solutions" (FDSN – 1992). This ideological proximity on the ethnic and territorial dimension also affected the policies of the government coalition in the early 1990s, as the nationalist parties vetoed any regionalisation project or move towards increased minority rights. Most tensions rose over the autonomy issue. The two nationalist parties left the coalition over a struggle due to the signing of a bilateral treaty with the Hungarian government, which included references to minority rights that they did not want to accept (Roper 2000: 120-2).

¹⁴ We thank Protsyk and Garaz (forthcoming) and Benoit et al. (2009) for making their analysis and collection of party manifestos available to us. Given the small number of statements on territorial reforms, a quantitative analysis might not lead to a very reliable picture. We instead use the manifestos for a qualitative illustration of our arguments. This also reflects the methodological difficulties in the analysis of minority-related issues in common manifesto-based measures (Protsyk and Garaz forthcoming).

In 1996, the government swung to the economic centre-right, led by the Democratic Convention of Romania (CDR), a formation of economic right-wing oppositional parties, the Social Democratic Union (USD) and the party of the Hungarian minority (UDMR). This government adopted a somewhat conciliatory stance towards the Hungarian minority, in the face of pressure by the EU to increase minority protection. While the government remained sceptical about territorial reforms, in 1998 it introduced a new level of administration, the development regions (Birniir 2007: 125). The centre-right parties had a less radical tone towards the ethnic minorities than the nationalists, but as the nationalist parties were campaigning on ethnic and territorial issues, they could certainly not afford any other position than defending the unitary state: "Recognition of minority rights does not imply denying our territorial integrity and the unitary feature of the Romanian state" (CDR - 1992). "In its fight for diversity, the USD rejects ethnic based autonomy or enclavisation [i.e. Hungarian self-government in Covasna and Harghita]" (USD - 1996).

In 1996, the rhetoric of the main mainstream parties converged. The Social Democrats (PSD, earlier running under the labels FSN, FDSN, PDSR), after the break-up of the coalition with the nationalists, and in a period where the Romanian mainstream parties were turning towards Europe, adopted a more accommodative position: The state shall ensure "a favourable framework for community development in the communities at local and national levels", but "without leading to secession or ethnic autonomy" (PDSR – 2000). Not longer in coalition with the nationalists, and equipped with a new pro-European agenda, the electoral and ideological constraints on the party's regionalisation policy were relaxed. Nevertheless, the party still would not allow for any substantial policy concessions on the question of territorial reforms, even not after 2000, when it was governing jointly with the UDMR. The UDMR's proposition of regional reforms was blocked in parliament by its senior coalition

partner in 2003 and 2004.¹⁵ Survey results show that a Hungarian autonomous region would have been completely unacceptable to voters of all Romanian parties – whereas a general increase of (non-ethnically defined) local autonomy was more acceptable.¹⁶ This also means that parties in government (but likewise the non-nationalist mainstream parties in opposition) might have feared making too large concessions to the Hungarian minority on territorial issues.

This hostility has persisted during the 2000s, when mainstream parties issued statements on different forms of ethnic autonomy in response to several events, which revealed their continued opposition to accommodation. During the declaration of independence in Kosovo, they opposed the ethnic Hungarian parties' attempt to draw parallel between Kosovo and the Hungarian enclaves of Romania¹⁷ They also opposed the announced referendum on the formation of the Szekler region (Ținutul Secuiesc-Székelyföld).¹⁸ Also, they reacted against the publication of a European Parliament report in 2005, suggesting cultural autonomy for Romania's minorities.

As figure 1 shows, in 2011, Romanian mainstream parties (PSD, PD-L and PNL) are almost unanimous in their rejection of any autonomy claims. Certainly, the inclusion into governments limits the possibilities how parties can position themselves. Especially, as Romanian mainstream parties were usually in coalition with the Hungarian minority party (UDMR), they tend towards slightly more pragmatic on ethnically sensitive issues, such as advocating decentralisation or regionalisation, but without creating Hungarian-majority regions. The ultra-nationalists (PRM) remain the fiercest antagonist to any regionalisation. Controversies are rather of a rhetorical nature, and while the PRM is firmly rejecting any of

¹⁵ Romania libera, 21 November 2003, "Proiectul de lege privind autonomia Tarii Secuilor, respins de PSD, neagreat de UDMR. [The PSD rejects the bill for autonomy for the Szeklerland, not agreed by the UDMR"; Romania libera, 20 December 2004, "PSD sustine ca a refuzat solicitarea privind autonomia Tinutului Secuiesc [PSD asserts that it rejected the demand for autonomy for the Szeklerland]"

¹⁶ Analysis of two questions of the Ethnobarometer of 2000 (CCRIT 2000). This is one of the rare surveys containing questions on territorial issues.

¹⁷ Balkan Insight, 3 February 2009, "Romania Opposes Collective Minority Rights"

¹⁸ Romania libera, 21 November 2011, "Dispută pentru autonomia secuilor. [Fight over the Szekler autonomy.]"

the "recommendations" issued by European institutions, the governmental parties stress their commitment to a decentralist policy: "we started a process of reinforcement of local self-government. [...] Not only ethnic groups need autonomy" (Traian Băsescu, PD leader and state president).¹⁹ A suggestion by the PD of 2011 to create eight regions was vetoed by the coalition partner UDMR, which considered the regions as too large – not allowing the creation of a region with a Hungarian autonomy.²⁰ Figure 1 displays the diverging views of the Hungarian minority parties on territorial autonomy.

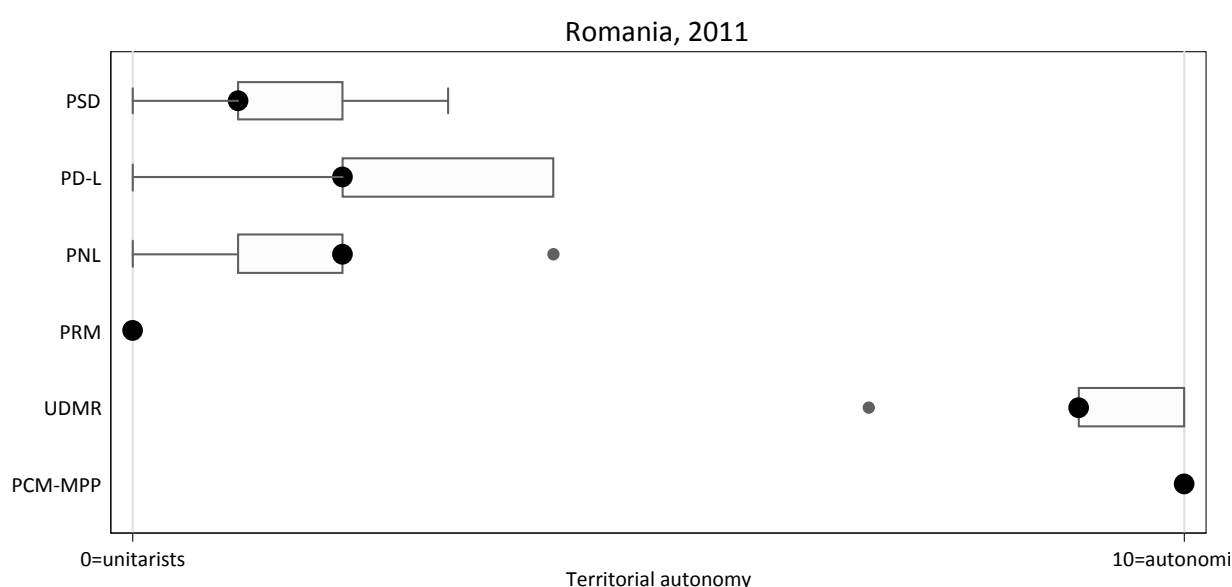


Figure 1: Position of the main parties on territorial issues in Romania, 2011. Source: Szöcsik & Zuber (forthcoming) Median party position and 25%-75% percentiles.

Slovakia

Territorial reforms

Slovakia has undergone three major territorial reforms. First, the responsibilities of municipal governments vis-à-vis the state administration were defined and their direct

¹⁹ Romania libera, 21 January 2011, "Traian Băsescu: Nu îmbrățișăm teoria autonomiei pe criterii etnice; am trecut la creșterea autonomiei locale [Traian Băsescu: We do not embrace autonomy according to ethnic criteria, we opt for increased local autonomy]", quoting Băsescu's statement in the Parliamentary Assembly of the Council of Europe.

²⁰ RTV.net, 9 January 2012, "Meciul PDL-UDMR pe reorganizare. Fiecare, cu plăca lui [PDL-UDMR match over reorganisation. Each, as he pleases]"

elections were introduced in 1990 (Krivý 1997: 95). Between 1991 and 1996, the country, was divided into 4 regions (kraje) with 38 districts (okresy) and 121 sub districts (obvody).

Second, the third government of Vladimír Mečiar (1994-1998) transformed this territorial organisation in 1996 and created eight administrative regions (krajov) and 79 districts (okresy). The eight regions were mostly stretched in a North-South direction, ensuring that none of them had any considerable share of ethnic Hungarians and, out of the ten districts with Hungarian majority, only two remained (Mezei and Hardi 2003: 133; Krivý 1997: 94). The reform was aimed at centralising and consolidating the power of the state administration at the expense of local independent governments and the Hungarian minority parties. According to prime minister Mečiar, it “would prevent any kind of Hungarian aspiration to autonomy once and for all” (Szarka 2002: 123).

The third major administrative reform took place in 2001 under the first term of the liberal government of Mikuláš Dzurinda. It created a regional tier of government, involving the transfer of competences from the state administration to municipalities and regions, continuing the Slovak *dual model* of administration, where decentralised offices of the central administration, co-exist with autonomous authorities at the regional and local level. The reform created 8 self-governed regions (samosprávne kraje), with 79 districts (okresy), and the first regional elections for the regional self-government bodies were held at the end of 2001 (Nižnansky and Pilát 2002; Buček 2002). Importantly, regions with Hungarian majorities were, once again, not created.

Ethnic minority parties

At the beginning of the 1990s, three parliamentary parties represented the Hungarian minority all of which called for collective rights and elaborated their own autonomy plans. The Hungarian parties' aspiration for territorial autonomy culminated in a gathering of Hungarian local mayors and representatives in 1994, in which all three endorsed an

administrative reform that would guarantee self-government for the regions with Hungarian majorities in southern Slovakia (Szarka 2002: 128).

The administrative reform of the Mečiar government was rejected by the Hungarian minority parties, but they were in opposition and without political influence. The EU was also sceptical about the territorial-administrative reform but its criticism only referred to the high degree of centralisation of regional decision-making. No comment was made on the gerrymandering that intended to decrease the influence of the Hungarian minority (Hughes et al. 2004: 91). Like Romania, Slovakia also concluded a friendship treaty with Hungary, which excluded the possibility of territorial autonomy (Roper 2000: 121; Eplényi 2006: 64-5; Csörgő 2002: 17). After the electoral law was altered in 1998, increasing the threshold for alliances of political parties, the Hungarian parties (previously competing in an alliance in national elections) merged into a single party, the Party of the Hungarian Coalition (SMK).

The SMK was included in the coalition government led by the Slovak Democratic Coalition (SDK) of Prime Minister Mikuláš Dzurinda (1998-2002) on the condition that the party renounced its most controversial claim - territorial autonomy on ethnic basis (Szarka 2002: 128). The party moved instead towards an agenda of administrative reforms (Hamberger 2004: 107), including the creation of the county Komarno, with a Hungarian majority, separate from the 12 that were already created. But, the 2001 administrative reform did not consider these claims, and was a severe defeat for the SMK, which provoked internal quarrels. The SMK criticised its coalition partners for triggering a governmental crisis and delaying the EU accession process of Slovakia (Szarka 2002: 130), but in the end, it had to give in, since its coalition partners had not even wanted to support the reorganisation into 12 counties, but wanted to keep the existing eight regions 2001 (Buček 2002: 151). The second SDK-led coalition government (2002-2006) was once again unwilling to compromise on this issue, but instead gratified the SMK with the establishment of an independent Hungarian university in Komarno (Jarábik 2003: 148; Hamberger 2004: 111). Extra-parliamentary

associations started to address the territorial issue, but did not succeed in mobilizing the Hungarian minority (Šutaj and Sápos 2008: 44-7; 2009: 27-31).

When the SMK relapsed in opposition in 2006, its new leadership elaborated a proposition on the restitution to the victims of the Beneš decrees which triggered massive internal and external critique. Eventually, the new party Most–Híd was founded in 2009 by dissident members of the SMK who were dissatisfied with the course of the SMK in the opposition. . Most–Híd’s goal is to establish as a multi-national, multi-cultural and a multi-lingual state. Demands of territorial autonomy did not make it into the party program and its leader openly stated that there is no demand for territorial autonomy on the side of the Hungarian minority in Slovakia.²¹ Therefore, the leadership of the Most–Híd clearly broke with the SMK’s tradition to support territorial autonomy for the Hungarian minority in Slovakia. The new party outperformed the old one in the 2010 parliamentary elections, and is the only ethnic minority party that passed the electoral threshold and is in parliament and the coalition government with the SDKU-DS, KDH and the SaS. Early national elections in 2012 replicated the results of the national elections in 2010, with Most–Híd entering parliament, while SMK failed to pass the electoral threshold.

Mainstream parties

Ethno-territorial autonomy is a salient issue in Slovak politics, but it is largely opposed by all mainstream parties addressing the Slovak majority. The main nationalist party, the Slovak National Party (SNS) predominantly campaigns on nation- and minority-related topics, including the issue of Slovak unity. However, the nationalist-authoritarian Movement for a Democratic Slovakia (HZDS), the left-wing Smer, which turned nationalist in the 2000s, and the liberal Slovak Democratic Coalition (SDK) have also repeatedly rejected any form of ethno-territorial autonomy.

²¹ Új Szó, 21 August 2010, "Pravda: A magyarok az autonómiára emlékeztették Pozsonyt [Pravda: The Hungarians reminded Bratislava of autonomy]".

Nevertheless – and despite the two Hungarian minority parties have renounced to demands for autonomy, the 'forbidden issue' nourishes struggles among the mainstream parties. Nationalist parties repeatedly attempted to portray the danger of Hungarian minority representatives, and the threat of autonomy for the national unity of Slovakia (see also Deegan-Krause 2004). In 1996, after a meeting in Budapest between the Hungarian government, parliamentary officials and representatives of Hungarian minorities abroad, a statement was issued that "The establishment of local governments and autonomy - in line with current European practice and the spirit of international norms - is vital to preserving the identity of Hungarians beyond the borders." The HZDS asked for legal action against the ethnic Hungarian deputies taking part in the Budapest meeting,²² and a HZDS member of parliament, Dušan Slobodník, warned of irredentist elements who "say we are loyal Slovak citizens, [...] but what they wish is to renew Greater Hungary."²³ And an HZDS spokesman Vladimír Hagara: "The Hungarian nationality is very dangerous. [...] They want not only their Magyar language, but then their own land, then their own government, then their land will join Hungary. [...] [The Hungarians] are very aggressive when they have an advantage over you. Just look at history."²⁴

The nationalist parties' positions have affected the position of the other mainstream parties. Both nationalists and parties in opposition have made clear in several instances, that if a mainstream party – especially those in government – should deviate from the common view of national interests, they will present them as betrayers of the Slovak people. The HZDS has even spread fake leaflets in the 2009 election campaigns, stating that its adversary would support autonomy for the ethnic Hungarians– which is obviously a potentially seriously

²² Slovak Spectator, 17 July 1996, "Budapest declaration on autonomy rouses tornado of ire"; Slovak Spectator, 24 January 2005, "'Autonomy' trips response"

²³ Slovak Spectator, 18 December 1997, "Hungarian coalition pledges cooperation with SDK"

²⁴ Slovak Spectator, 4 December 1997, "Hungarians replace 'autonomy' rhetoric with 'decentralization'"

damaging message in Slovak politics.²⁵ Speaking in the words of the chairman of a minor party of the centre-right, Ján Langoš (DS), "the term [autonomy] itself is becoming a problem in Slovakia because Hungarian parties want autonomy, and we reject it as political concept. I don't see a reason for someone having special rights when they live on Slovak land."²⁶

Slovak governments have therefore avoided any kind of autonomy solution, and all larger mainstream parties have considered autonomy as unacceptable.²⁷ However, governments pursued different agendas of decentralisation, depending on whether they were nationalist (1994-8 and 2006-10), or liberal and including the Hungarian minority party (1998-2006). The Slovak Democratic Coalition (SDK) of Prime Minister Mikuláš Dzurinda (1998-2006), was advocating a model of decentralisation with 12 new self-governed regions, while junior parties and the oppositional HZDS wanted to keep the previous regional structure with eight regions. None of these propositions, however, contained an ethnically defined territorial unit, and the dispute was not fought along ethnic and nationalist lines. Instead, the governing SDK explained that their reform would strengthen democracy and bring the country closer to EU accession. The proposition of the Hungarian minority party (SMK) to initiate an ethnically demarcated county (Komarno) was met by fierce opposition both within the coalition and by the opposition.²⁸

This ideological hostility has persisted and there was little change in the positions of the mainstream parties in the 2000s. As figure 2 demonstrates, in 2011 as in the case of Romania, the mainstream parties (SMER-SD, SDKÚ-DS and the KDH) are clearly against territorial autonomy but might become slightly more willing to compromise. Consistent with its liberal program, Freedom and Liberty (SaS), a young political party, takes the most friendly toward territorial autonomy for the Hungarians. The ultra-nationalists SNS remained

²⁵ Slovak Spectator, 18 December 1997, "Hungarian coalition pledges cooperation with SDK"; Slovak Spectator, 30 March 2009, "Mečiar says fake leaflets on Radičová's behalf are provocation"

²⁶ Slovak Spectator, 17 July 1996, "Opposition trio agrees to integrate".

²⁷ Slovak Spectator, 24 January 2005, "'Autonomy' trips response".

²⁸ Slovak Spectator, 17 July 1996, "Opposition trio agrees to integrate"; Slovak Spectator, 12 March 2001, "Coalition digs in for long-haul reform". See also Buček (2002: 150-1).

a fierce protagonist of a unitarian state. However, in the 2000s, decentralisation became increasingly a topic of dispute between national and local politics, with the Association of Towns and Cities (ZMOS) as the main actor. Even nationalists would take the side of the local administration (and fiscal decentralisation) if they are in opposition at the national level.²⁹ Finally, figure 2 displays the intra-Hungarian competition between the SMK and Most-Híd regarding the claim of territorial autonomy.

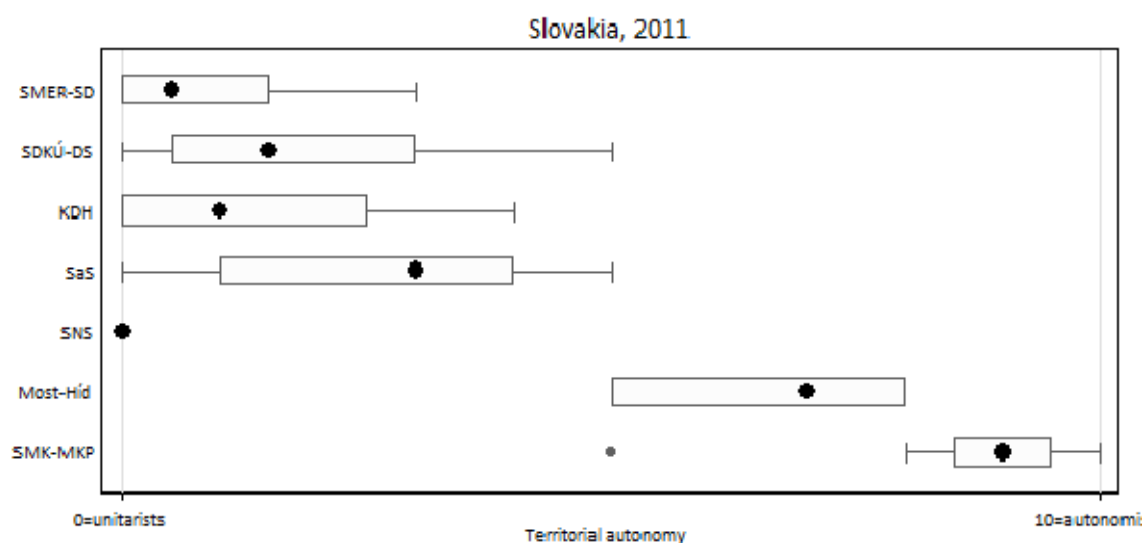


Figure 2: Position of the main parties on territorial issues in Slovakia, 2011. Source: Szöcsik & Zuber (forthcoming) Median party position and 25%-75% percentiles.

Conclusion

The, regionalisation of the new EU member states has only advanced very slowly, if at all. While the previous literature has put an accent on the EU's role in driving territorial reforms, this paper takes into account the domestic actors' perspective. The EU did not prescribe a model of regionalisation and it did not promote ethno-territorial autonomy as an instrument of minority protection during the accession process. Therefore, the political parties had the power to define the model of territorial reforms

In Romania and Slovakia, ethnic Hungarian parties have called for territorial autonomy and the formation of regions with a Hungarian majority. For the mainstream parties, however, this type of territorial reforms remain taboo. Historical legacies of unstable

²⁹ Slovak Spectator, 17 October 2011, "Changes proposed in local government revenue sources"

and contested borders invoke the fear that the establishment of territorial autonomies for the Hungarian minority might endanger the territorial integrity of their states. Nationalist parties of the majority have put an emphasis on the ethno-national issue-dimension to mobilise voters. This has limited the space of manoeuvre of other mainstream parties too, hindering them from taking substantial steps towards regionalisation. Instead, and over the course of time, the civic parties have moved towards weaker models of territorial reforms, which have fulfilled EU requirements, while avoiding any kind of ethnically-based autonomy. As a consequence of their different governmental-oppositional role, the reactions of the ethnic minority parties have been mixed. In both countries, the dominant Hungarian minority party have dropped the issue of autonomy from its agenda to get into government. While in Slovakia, the party had split while staying in opposition, and the challenger took a moderate turn, in Romania, the UDMR was challenged from the radical side, and the new Hungarian minority parties revitalized the territorial issue (Bochsler and Szöcsik 2012).

In brief, we argue that the history makes ethno-territorial reforms a very sensitive issue in domestic politics in the two countries. During EU access negotiations, the governmental parties came under pressure to find a suitable solution to decentralise, but party competition restricted their space of manoeuvre, as nationalist parties of the ethnic majority would immediately capitalise on too large steps towards an regionalisation with ethnic traits.

The two case studies put forward new suggestions for the comparative study of regionalisation. In multi-ethnic states in Central and Eastern Europe, the support of mainstream parties for regionalisation is not rewarding electorally, and territorial reforms lack substantial domestic support among the ethnic majority.

The patterns that emerge in this study might be applicable to other countries of the region. There are indeed certain parallels to the solution that was adopted in the Ohrid framework agreement to resolve the ethnic conflict in Macedonia. There, a form of decentralisation was agreed which does not lead to the creation of an Albanian entity, but

strengthened the municipal authorities instead, in many points comparable to the solution for the Serbian dominated municipalities in Kosovo. While the process of territorial reforms is still going on in Serbia, the debate very much follows the lines outlined in our article. Interestingly, an autonomy solution could so far only be reached for the case with a clear Serbian majority among the population (Vojvodina), where also the risk of separatism is perceived lowest, while the regions in which the minority constitute a majority (Preševo valley, Sandžak) have not gained any territorial autonomy. The only exceptions to the rule might be two war-torn countries, where autonomy solutions are the result of concessions reached in peace negotiations after violent conflicts: in Bosnia and Herzegovina, the federal structure was brokered in the Dayton peace agreement. In Moldova the minority-inhabited region of Gagauzia was granted asymmetric autonomy shortly after the violent break-away of Transnistria. No wonder that with the exception of these two cases, only decentralisation and an absence of territorial reforms with strong regions can be observed throughout the region.

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